

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

LEVI M. ROYAL,

Defendant.

NO. CR18-306 RAJ

AGREED ORDER
FOR COMMITMENT

This Court, having reviewed the Government's Motion for Competency Examination and Hearing and the Forensic Evaluation prepared by Forensic Psychologist Cynthia Low, Ph.D. on March 14, 2019; and having held a hearing on March 26, 2019 to determine the Defendant's competency to stand trial, including arguments of counsel for the parties; finds by a preponderance of the evidence that the Defendant is presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. Therefore,

IT IS HEREBY ORDERED:

(1) that the Defendant is committed to the custody of the Attorney General to be hospitalized at a suitable facility for treatment, for a period of not to exceed four months, to restore his competency pursuant to Title 18, United States Code, Section 4241(d);

1 (2) that the United States shall provide a written submission to the Court by
2 April 15, 2019, updating it on the Defendant's designation and transportation to a suitable
3 facility;

4 (3) that the Defendant, to the extent possible, be examined periodically,
5 including at the end of the four month period, to determine whether there is a substantial
6 probability that in the foreseeable future he will attain the capacity to permit the
7 proceedings to go forward. If the Defendant is restored at any time before the expiration
8 of the four month commitment period, the Federal Medical Center shall promptly notify
9 the Court;

10 (4) that the Defendant shall cooperate with the persons performing during the
11 examinations and competency-restoring treatment; and that no statements made by the
12 Defendant in the course of psychiatric examination shall be admitted as evidence against
13 him except on an issue regarding his mental condition, if that issue is raised by him;

14 (5) that a report generated pursuant to this Order be prepared and disseminated
15 in accordance with the requirements set forth in Title 18, United States Code,
16 Section 4247(c), and that this report be filed with the Court, with copies provided to all
17 counsel; and

18 (6) pursuant to 18 U.S.C. § 3161(h)(1) and (h)(4), that the period of delay
19 resulting from the commitment period and other proceedings related to the Defendant's
20 mental competency, including any time leading up to and including the Court's hearing
21 concerning Defendant's competency following examination and treatment, shall be
22 excluded in the computation of time under the Speedy Trial Act, 18 U.S.C. § 3161 *et al.*

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1 (7) IT IS FURTHER RECOMMENDED that the Federal Bureau of Prisons,
2 including the Office of Medical Designations and Transportation, along with the
3 United States Marshals Service, review the Defendant's file to determine whether he
4 would be eligible for immediate placement based on medical need.

5 DATED this 27th day of March, 2019.

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9 The Honorable Richard A. Jones
10 United States District Judge
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14 Presented by:

15 /s/ Lyndsie R. Schmalz

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/s/ Chloe Akers

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